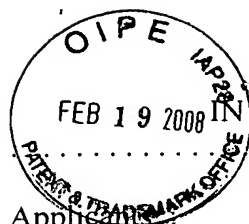


PCT

PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: H. Donald Burns et al.

Serial No. : 10/528,888

Case No.: 21232YP

Art Unit:
1625

Filed : March 23, 2005

For : RADIOLABELED NEUROKININ-1
RECEPTOR ANTAGONISTSExaminer:
Celia Chang

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop: ISSUE FEE

FINAL FEE TRANSMITTAL AND
REQUEST FOR CORRECTED FILING RECEIPT

Sir:

Attached is a copy of the official Filing Receipt under 35 U.S.C. 371 and 37 C.F.R. 1.495 received from the Patent and Trademark Office for the above-identified application for which issuance of a corrected Filing Receipt is respectfully requested.

Applicant's Entity status is incorrectly listed as "Small Entity". Applicant is a Large Entity.

It appears that the DO/EO Worksheet (copy attached) prepared upon receipt of this application by the Office incorrectly indicated the presence of a Verified Small Entity Statement.

The National Stage fee of \$500 submitted on March 23, 2005, was correct and sufficient for Applicant's status as a Large Entity (Basic Fee = \$300, Exam Fee = \$100 [satisfies PCT Article 33(1)-(4), Search Fee = \$100 [US is ISA]]. The Fee Determination Record (copy attached) incorrectly states that Applicant is a Small Entity, but no additional National Stage fee is due.

An Issue/Publication Fee Transmittal (copy attached) for this application was already submitted on February 1, 2008, in the amount of \$1020 prior to the deadline of February 15, 2008. A Fee Sheet in the amount of \$720 is transmitted herewith to pay the difference between the Issue/Publication Fees that was already paid (\$1020) and the Issue/Publication Fees that is actually required (\$1740). Any additional fees associated with this Request may be charged to Merck Deposit Account No. 13-2755.

Respectfully submitted,

By

J. Eric Thies
J. Eric Thies, Reg. No. 35,382
Attorney for Applicants

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

By *J. Eric Thies* MERCK & CO., INC.
Date 14 Feb 2008

DATE: February 14, 2008

MERCK & CO., INC.
P.O. Box 2000
Rahway, New Jersey 07065-0907
(732) 594-3904

PIPE MISC. FEE TRANSMITTAL Patent fees are subject to annual revision.		Complete if Known	
		Application Number	10/528,888
		Filing Date	March 23, 2005
		First Named Inventor	H. Donald Burns
		Examiner Name	Celia C. Chang
		Group Art Unit	1625
		Attorney Docket Number	21232YP
TOTAL AMOUNT OF PAYMENT		\$720	

METHOD OF PAYMENT

- ☒ Deposit Account
 Deposit Account Number 13-2755 Deposit Account Name Merck & Co., Inc.
- The Director is authorized to:
- ☒ Charge fee(s) indicated below ☒ Credit any overpayments
- ☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17

FEE CALCULATION

FEES Large Entity

Fee Code	Fee (\$)	Fee Description
1051	130	Surcharge - late filing fee or oath
1053	130	Non-English Specification
1812	2,520	For filing a request for <i>ex parte</i> reexamination
1402	510	Filing a brief in support of an appeal
1452	510	Petition to revive - unavoidable
1453	1,540	Petition to revive - unintentional
1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	Submission of Information Disclosure Statement
1809	810	Filing a submission after final rejection (37 CFR 1.129(a))
1810	810	For each additional invention to be examined (37 CFR 1.129(b))
1840	130	Statutory Terminal Disclaimer under 37 CFR 1.321

Other fee (specify) Issue/Publication Fees-The difference between what was paid and what is due.

Other fee (specify) _____

Fee Paid

720

TOTAL \$720

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

By J. Eric Thies Date 14 Feb 2008

MERCK & CO., INC.

SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name	J. Eric Thies			Reg. Number	35,382
Signature	<u>[Signature]</u>	Date	02/14/2008	Deposit Account User ID	



DO/EO WORKSHEET

Bookle

U.S. Appl. No. 10/528888

Paralegal No. 1000 Station

International Appl. No. US03/29707

Application filed by: ☒ 30 months

WIPO PUBLICATION INFORMATION:

Publication No.: WO/2004/029024

Publication Language: ☒ English ☐ German ☐ French ☐ Japanese
☐ Russian ☐ Korean ☐ Other: _____

Publication Date: 8 Apr 2004

Not Published: ☐ U.S. only designated ☐ EP request

INTERNATIONAL APPLICATION PAPERS IN THE APPLICATION FILE:

- | | |
|---|--|
| <input checked="" type="checkbox"/> International Application | <input type="checkbox"/> Request form PCT/RO/101 |
| <input checked="" type="checkbox"/> Article 19 Amendments | <input type="checkbox"/> PCT/ISA/210 - Search Report |
| <input checked="" type="checkbox"/> PCT/IB/331 | <input type="checkbox"/> Search Report References |
| <input checked="" type="checkbox"/> PCT/IPEA/409 IPER (PCT/IPEA/416 on front) | <input type="checkbox"/> PCT/IB/306 - Notification of a Change |
| <input checked="" type="checkbox"/> Annexes to 409 (Article 34 Amendment) | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Priority Document (s) No. <u>1</u> | |

RECEIPTS FROM THE APPLICANT:

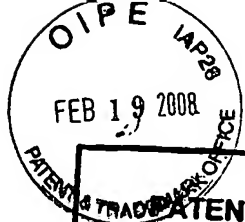
- | | |
|--|---|
| <input checked="" type="checkbox"/> Basic National Fee (for authorization to charge) | <input checked="" type="checkbox"/> Preliminary Amendment(s) Filed on :
1. _____ 2. _____ 3. _____ |
| <input checked="" type="checkbox"/> Description <u>6/3</u> | <input checked="" type="checkbox"/> Information Disclosure Statement(s) Filed on
1. _____ 2. _____ 3. _____ |
| <input checked="" type="checkbox"/> Claims | <input type="checkbox"/> Assignment Document (forwarded to Assignment Branch) |
| <input type="checkbox"/> Drawing Figure(s) - (# of dwgs. <u>0</u>) | <input type="checkbox"/> Assignee PG Publication Notice |
| <input type="checkbox"/> Translation of Article 19 Amendments
<input type="checkbox"/> entered <input type="checkbox"/> not entered :
<input type="checkbox"/> not a page for page substitution
<input type="checkbox"/> replaced by Article 34 Amendment | <input type="checkbox"/> Substitute Specification Filed on :
1. _____ 2. _____ |
| <input type="checkbox"/> Translation of Annexes to 409
<input type="checkbox"/> entered <input type="checkbox"/> not entered :
<input type="checkbox"/> not a page for page substitution
<input type="checkbox"/> other: _____ | <input checked="" type="checkbox"/> Verified Small Status Statement (executed) |
| <input type="checkbox"/> Application Data Sheet | <input checked="" type="checkbox"/> Oath/ Declaration (executed)
<input type="checkbox"/> surcharge was paid at the time of filing |
| <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Change of Address | <input type="checkbox"/> DNA Diskette <input type="checkbox"/> Sequence Listing |
| | <input type="checkbox"/> Other: 1. _____ |
| | <input type="checkbox"/> Other: 1. _____ |

NOTES: ☐ I.A. used as Specification ☐ Other: _____

- 35 U.S.C. 371 - Receipt of Request
- Date Acceptable Oath/ Declaration Received
- Date of Completion of requirements under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4)
- Date of Completion of ALL requirements under 35 U.S.C. 371
- Date of Completion of DO/EO 903 - Notification of Acceptance
- Date of Completion of DO/EO 905 - Notification of Missing Requirements
- Date of Completion of DO/EO 916 - Notification of Defective Response
- Date of Completion of DO/EO 909 - Notification of Abandonment

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23 Mar 05

☐ EP ☐ JP ☐ SE ☐ AU ☐ I



PATENT APPLICATION: FEE DETERMINATION RECORD
Effective December 8, 2004

Application or Docket Number
10/528888

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
U.S. NATIONAL STAGE FEES		
BASIC FEE	SMALL ENT. = \$ 150	LARGE ENT. = \$ 300
EXAMINATION FEE	Satisfies PCT Article 33(1) (4) = \$ 50 / \$ 100	All other situations = \$ 100 / \$ 200
SEARCH FEE	U.S. to ISA = \$ 50 / \$ 100 ALL other countries = \$ 200 / \$ 400	All other situations = \$ 250 / \$ 500
FEE FOR EXTRA SPEC. PGS.	minus 100 =	150 =
TOTAL CHARGEABLE CLAIMS	16 minus 20 =	
INDEPENDENT CLAIMS	3 minus 3 =	
MULTIPLE DEPENDENT CLAIM PRESENT		<input type="checkbox"/>

* If the difference in column 1 is less than zero, enter "0" in column 2

~~SMALL ENTITY~~
TYPE ☒

OR
OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	150
EXAM FEE	100
SEARCH FEE	250
X \$ 125 =	
X \$ 25 =	
X \$ 100 =	
+ \$ 180 =	
TOTAL	300

RATE	FEE
BASIC FEE	300
EXAM FEE	100
SEARCH FEE	100
X \$ 250 =	
X \$ 50 =	
X \$ 200 =	
+ \$ 360 =	
TOTAL	500

3-23-05 CLAIMS AS AMENDED - PART II

	(Column 1)		(Column 2)		(Column 3)
AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	16	Minus	20	
	Independent	3	Minus	3	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

~~SMALL ENTITY~~

OR
OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
X \$ 25 =	
X \$ 100 =	
+ \$ 180 =	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X \$ 50 =	
X \$ 200 =	
+ \$ 360 =	
TOTAL ADDIT. FEE	

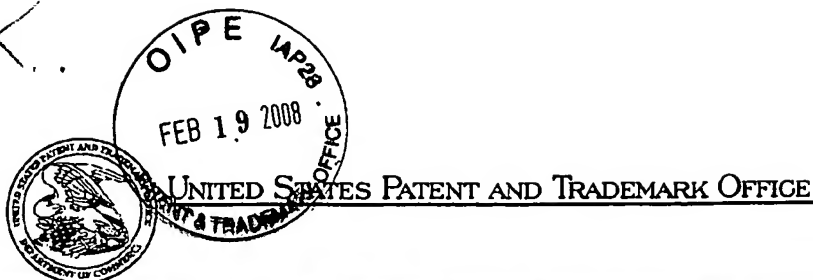
	(Column 1)		(Column 2)		(Column 3)
AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total		Minus		
	Independent		Minus		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

RATE	ADDITIONAL FEE
X \$ 25 =	
X \$ 100 =	
+ \$ 180 =	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X \$ 50 =	
X \$ 200 =	
+ \$ 360 =	
TOTAL ADDIT. FEE	

- if the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 - if the "Highest Number Previously Paid For" IN THIS SPACE is less than "20", enter "20".
 - if the "Highest Number Previously Paid For" IN THIS SPACE is less than "3", enter "3".
- The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/528,888	03/23/2005	1625	500	21232YP		16	3

000210
MERCK AND CO., INC.
P O BOX 2000
RAHWAY, NJ 07065-0907

CONFIRMATION NO. 9166

FILING RECEIPT



OC000000016318439

Date Mailed: 06/21/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

H. Donald Burns, Harleysville, PA;
Wai-si Eng, Maple Glen, PA;
Raymond E. Gibson, Holland, PA;
Terence G. Hamill, Lansdale, PA;

Power of Attorney: The patent practitioners associated with Customer Number 000210.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US03/29707 09/19/2003

Foreign Applications

UNITED STATES OF AMERICA 60413223 09/24/2002

Projected Publication Date: 09/29/2005

Non-Publication Request: No

Early Publication Request: No

~~SMALL ENTITY~~

Large Entity

Title

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated on the form corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

210

7590

11/15/2007

MERCK AND CO., INC
 P O BOX 2000
 RAHWAY, NJ 07065-0907

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

J. Eric Thies	(Depositor's name)
<i>[Signature]</i>	(Signature)
29 Jan 2008	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,888	03/23/2005	H. Donald Burns	21232YP	9166

TITLE OF INVENTION: RADIOLABELED NEUROKININ-1 RECEPTOR ANTAGONISTS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$720	\$300	\$0	\$1020	02/15/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHANG, CELIA C	1625	514-326000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 J. Eric Thies

2 William Krovatin

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Merck & Co. Inc.

Rahway, New Jersey

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☒ Issue Fee
☒ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 13-2755 (to lose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date

Typed or printed name

Registration No.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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